

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.21644 of 2022**

Arising Out of PS. Case No.-86 Year-2021 Thana- DARPA District- East Champaran

Shahjad Mian Son Salamat Miyan R/O Village- Tinkoni Tetariya, P.- Darpa,  
District- East Champaran At Motihari

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Husna Tara @ Sagira Khatoon D/O - Late Manan Mansuri Preent Address-  
R/O Village- Pipra Purvari Tola, Ward No.-16, P.S.- Darpa, District- East  
Champaran At Motihari

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Binay Kumar

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      05-09-2022

Heard learned counsel for the parties.

The petitioner, husband of Opposite Party No. 2  
apprehends his arrest in Darpa P.S. Case No. 86 of 2021  
registered for the offence under Sections 341, 323, 504 of the  
Indian Penal Code and section 3/4 of the Dowry Prohibition  
Act.

Learned counsel for the petitioner submits that at  
this juncture, the petitioner is ready to give maintenance amount  
of Rs. 3,000/- (three thousand) per month, starting from this  
month to Opposite Party No. 2.

In view of the undertaking of learned counsel for  
the petitioner that petitioner is ready to give maintenance



amount of Rs. 3,000/- (three thousand) per month, in the event of arrest/surrender within a period of six weeks from today, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, East Champaran at Motihari in connection with Darpa P.S. Case No. 86 of 2021 on the following conditions:

- (1.) Opposite Party No. 2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.
- (2.) Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of the Opposite Party No. 2.
- (3.) In case, the petitioner fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail bond.
- (4.) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.
- (5.) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.
- (6.) The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings.

The present order, in no way, will preclude the parties to resolve the issue otherwise.

**(Prabhat Kumar Singh, J)**

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